

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA

*v.*

MATTHEW J. WEBLER

Criminal Action No.  
1:21-MJ-1144

**Government's Motion for Detention**

The United States of America, by counsel, Kurt R. Erskine, United States Attorney, and Joseph A. Plummer, Assistant United States Attorney, for the Northern District of Georgia, moves for detention under 18 U.S.C. §§ 3142(e) and (f).

**1. Eligibility of Case**

This case is eligible for a detention order because this case involves:

Any felony that is not otherwise a crime of violence, but which involves the possession/use of a firearm, destructive device, or any other dangerous weapon;

A serious risk that the defendant will flee;

A serious risk that the defendant will obstruct or attempt to obstruct justice.

**2. Reason for Detention**

The Court should detain defendant because there are no conditions of release that will reasonably assure the appearance of the person as required and the safety of any other person and the community. Defendant Webler previously

vomited crimes while on Court supervision and in or about 2011 his probation was revoked.

### **3. Rebuttable Presumption**

The United States will not invoke the rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community pursuant to 18 U.S.C. § 3142(e)(3).

The United States will not invoke the rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of any other person and the community pursuant to 18 U.S.C. § 3142(e)(2).

However, the government relies on the factors contained in 18 U.S.C. § 3142(g).

First, the nature and circumstances of Webler possessing an unregistered silencer and short-barrel rifle and ammunition after having been convicted of felonies is serious. Second, the weight of the evidence against Webler is strong because he posted on Facebooks chats about acquiring silencers, assembling a firearms, and a video of him firing a rifle with a silencer along with the comment “quiet, quiet” and the notation “whisper quiet.” Third, his history and characteristics are unfavorable because of a felony conviction for aggravated assault, a prior revocation of probation and his history of drug and alcohol abuse, in addition to the small quantity of methamphetamine found in driver’s side of his vehicle that was parked at his residence . Fourth, the nature and seriousness of the danger to any person or the community is great because both before his arrest and after his arrest he has expressed contempt for federal firearms laws and he clearly

possesses the skill to make and assemble a firearm without a serial number from parts purchased from online retailers, or he could assist others in doing so.

#### **4. Time for Detention Hearing**

The United States requests the Court conduct the detention hearing at initial appearance.

The United States requests leave of Court to supplement this motion with additional grounds or presumptions for detention.

Dated: December 6, 2021.

Richard Russell Federal Building  
75 Ted Turner Drive S.W., Suite 600  
Atlanta, Georgia 30303-3309  
Phone: (404) 581-6000  
Fax: (404) 581-6181  
(404) 581-6055  
joe.plummer@usdoj.gov

Respectfully submitted,

KURT R. ERSKINE  
United States Attorney

/s/JOSEPH A. PLUMMER  
Assistant U.S. Attorney  
Ga. Bar No. 003006

**Certificate of Service**

I served this document today by filing it using the Court's CM/ECF system, which automatically sends electronic notification to the parties and counsel of record, and by handing a copy to defense counsel:

Thomas L. Hawker counsel for Matthew Webler

December 6, 2021

/s/JOSEPH A. PLUMMER

JOSEPH A. PLUMMER  
Assistant U.S. Attorney